



Atty. Dkt. No. 029318-0961

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: H. William BOSCH et al.
Title: LIQUID DOSAGE COMPOSITIONS OF STABLE
NANOPARTICULATE ACTIVE AGENTS
Appl. No.: 10/619,539
Filing Date: 7/16/2003
Examiner: Susan T. Tran
Art Unit: 1615
Confirmation Number: 6324

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to

12/19/2008 SZEWDIE1 00000007 18619539

01 FC:1806

180.00 0P

antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(d), before payment of the issue fee.

RELEVANCE OF EACH DOCUMENT

Attached to the PTO/SB/08 are five (5) Office Actions cited by the Examiners in related U.S. Patent Application Nos. 11/898,274, 11/980,586, and 11/979,231, 12/078,027, and 10/667,470. The references cited in the Office Action for Application No. 11/980,586 are not listed on the PTO/SB/08 because these references have been cited in a Information Disclosure Statement(s) on August 18, 2004 and April 2, 2007.

Also enclosed is a copy of the Notice of Rejections cited in related Japanese Patent Application No. 2002-528199, as well as a copy of the foreign references cited therein. *See Cite Nos. B1-B3.*

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

STATEMENT

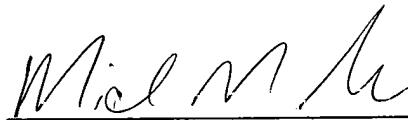
The undersigned hereby states in accordance with 37 CFR §1.97(e)(1) that each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to filing of this Statement. *See Cite Nos. B1-B3.*

FEE

A credit card payment form in the amount of \$180.00 is enclosed in accordance with 37 CFR §1.17(p) to cover the fee associated with an information disclosure statement under 37 CFR §1.97(d) in the amount of \$180.00.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this submission under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

By  _____

Date: December 18, 2008

FOLEY & LARDNER LLP
Customer Number: 31049
Telephone: (202) 672-5538
Facsimile: (202) 672-5399

Michele M. Simkin
Attorney for Applicant
Registration No. 34,717